

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-SB226)**

Received: **02/24/2006**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **Jennifer Stegall**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Mental Health - detent/commit**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Underheim@legis.state.wi.us**

Carbon copy (CC:) to: **laura.rose@legis.state.wi.us**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Mental health treatment for minors

---

**Instructions:**

Same as 05a2249/1, but restore s. 51.61 (6) to current law

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 02/24/2006	kfollett 02/24/2006		_____			
/1			rschluet 02/27/2006	_____	sbasford 02/27/2006	sbasford 02/27/2006	

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-SB226)**

Received: 02/24/2006

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **Jennifer Stegall**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Mental Health - detent/commit**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Underheim@legis.state.wi.us**

Carbon copy (CC:) to: **laura.rose@legis.state.wi.us**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Mental health treatment for minors

---

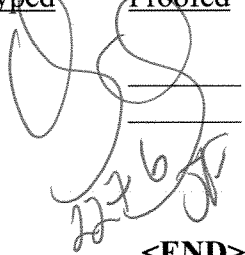
**Instructions:**

Same as 05a2249/1, but restore s. 51.61 (6) to current law

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	dkennedy	1/15f 2/24					
----	----------	---------------	---	--	--	--	--

FE Sent For:

<END>

# RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: DAK) (Date: 2 / 24 / 06)



☐ Please transfer the drafting file for

2003 LRB to the drafting file

for 2005 LRB

The final version of the 2003 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2003 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2003 draft was incorporated into a 2005 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the 2005 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

**-- OR --**

☐ Please copy the drafting file for

2005 LRB 2249 / 1 (include the version) and place it in the

drafting file for 2005 LRB 2488

For research purposes, because the original 2005 draft was incorporated into another 2005 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the new 2005 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa2249/1  
DAK:jld:jf

ASSEMBLY AMENDMENT ,  
TO 2005 SENATE BILL 226

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: delete "disability," and substitute "disability and".
2. Page 2, line 2: delete ", and access to records".
3. Page 11, line 4: delete lines 4 and 5 and substitute "refusal, or if a hearing  
has".
4. Page 11, line 9: delete that line and substitute "is sooner, and shall".
5. Page 16, line 25: delete "or outpatient".
6. Page 17, line 3: delete "or outpatient".
7. Page 17, line 4: delete lines 4 to 10, as affected by senate amendment 1 and  
senate amendment 1 to senate amendment 1, and substitute "mental illness."
8. Page 17, line 12: delete "or outpatient".

**10.** Page 18, line 13: delete “treatment for mental illness” and substitute “mental health treatment”.

**11.** Page 18, line 15: after “outpatient” insert “mental health”.

**12.** Page 21, line 13: delete lines 13 to 21.

**13.** Page 22, line 19: after “the minor” insert “if s. 51.135 (1) (b) does not apply”.

**14.** Page 26, line 24: delete lines 24 and 25 and substitute “disability, alcoholism, or drug abuse, the written, informed consent of the minor’s parent or guardian is”.

**15.** Page 27, line 1: delete “51.135 (2),”.

**16.** Page 27, line 2: after “(1).” insert “For the receipt of psychotropic medication, s. 51.135 (1) (a) or (2) applies.”.

**17.** Page 27, line 22: delete “Except as provided in subd. 5., for” and substitute “For”.

**18.** Page 28, line 9: delete “or outpatient”.

**19.** Page 28, line 10: after “51.135” insert “(1) (b) or (2)”.

**20.** Page 29, line 13: delete “and 51.135” and substitute “, 51.135, and 51.35 (3) (a)”.

**21.** Page 29, line 15: delete “(intro.), 1. (intro.), 3. (intro.), and”.

## TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

2/24/06.

CONVERSATION  
WITH:

Jennifer

OF:

Roeseler's office (for Underheim)

TELEPHONE NO:

6-5300

REGARDING LRB #  
OR DRAFT TOPIC:

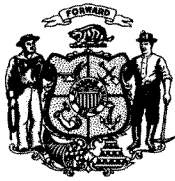
A. Amendment to SB 226

INSTRUCTIONS:

Go back to current law  
re treatment of minors re psychotrop.  
med — i.e., restore S. 51.61 (6) as  
is.

2/24/06 From Laura Rose

51.14(1) Keep deletion of exception to psychotropic  
treatment (as in the bill) — makes outpt  
treatment that includes psychotropic  
meds for minors aged at least 14  
reviewable by a mental health officer.



8:30 a.m. MONDAY  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa2488/2

DAK: [signature]

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~  
**ASSEMBLY AMENDMENT ,  
TO 2005 SENATE BILL 226**

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: delete ~~lines 1 and 2~~ and substitute "disability".

2. Page 2, line 2: delete ", and access to records".

3. Page 5, line 1: delete the material beginning with that line and ending with page 6, line 2.

4. Page 11, line 4: delete lines 4 and 5 and substitute "refusal, or if a hearing has".

5. Page 11, line 9: delete that line and substitute "is sooner, and shall".

6. Page 16, line 21: delete the material beginning with that line and ending with page 17, line 24.

7. Page 18, line 1: delete that line and substitute:

and ending with  
"records"  
on line 2  
and substitute  
"disability."

no 13

1 **51.14 (title) Outpatient Review of outpatient mental health treatment**  
2 **of minors aged 14 or older.** 1)

History: 1987 a. 367; 1995 a. 77; 1997 a. 27; 2003 a. 326.

3 **8.** Page 18, line 7: delete lines 7 to 15.

4 **9.** Page 18, line 21: delete "~~s. 51.61 (6) sub. (1m)~~" and substitute "s. 51.61 (6)".

5 ~~**10.** Page 18, line 23: delete "was provided under sub. (1m)".~~

6 **11.** Page 18, line 23: delete "was provided under sub. (1m)" and substitute "for  
7 outpatient treatment was provided".

8 **12.** Page 19, line 21: delete "~~s. 51.61 (6) sub. (1m)~~" and substitute "s. 51.61 (6)".

9 **13.** Page 20, line 16: on lines 16 and 21, delete "~~s. 51.61 (6) sub. (1m)~~" and  
10 substitute "51.61 (6)".

11 **14.** Page 21, line 13: delete lines 13 to 21, as affected by senate amendment  
12 1.

13 **15.** Page 25, line 22: delete the material beginning with that line and ending  
14 with page 28, line 10, and substitute:

15 **"SECTION 51m.** 51.61 (6) of the statutes is amended to read:

16 51.61 (6) Subject to the rights of patients provided under this chapter, the  
17 department, county departments under s. 51.42 or 51.437, and any agency providing  
18 services under an agreement with the department or those county departments have  
19 the right to use customary and usual treatment techniques and procedures in a  
20 reasonable and appropriate manner in the treatment of patients who are receiving  
21 services under the mental health system, for the purpose of ameliorating the  
22 conditions for which the patients were admitted to the system. The written,  
23 informed consent of any patient shall first be obtained, unless the person has been

found not competent to refuse medication and treatment under s. 51.61 (1) (g) or the person is a minor 14 years of age or older who is receiving services for alcoholism or drug abuse or a minor under 14 years of age who is receiving services for mental illness, developmental disability, alcoholism, or drug abuse. In the case of such a minor, the written, informed consent of the parent or guardian is required, except as provided under an order issued under s. 51.13 (1) (c) or 51.14 (3) (h) or (4) (g), or as provided in<sup>s.</sup> 51.47. If the minor is 14 years of age or older and is receiving services for mental illness or developmental disability, the written, informed consent of the minor and the minor's parent or guardian is required. ~~As~~<sup>strike</sup> ~~except that a~~ refusal of either such a minor 14 years of age or older or the minor's parent or guardian to provide written, informed consent for admission or transfer to an approved inpatient treatment facility is reviewable under s. 51.13 (1) (c) 1., ~~(3)~~<sup>2</sup> or (4), or 51.35 (3) (b), and a refusal of either a minor 14 years of age or older or the minor's parent or guardian to provide written, informed consent for outpatient mental health treatment is reviewable under s. 51.14.”.

**History:** 1975 c. 430; 1977 c. 428 ss. 96 to 109, 115; 1981 c. 20; 1981 c. 314 s. 144; 1983 a. 189 s. 329 (5); 1983 a. 293, 357, 538; 1985 a. 176; 1987 a. 366, 367, 403; 1989 a. 31; 1993 a. 184, 445, 479; 1995 a. 27 s. 9126 (19); 1995 a. 92, 268, 292; 1997 a. 292; 2001 a. 16 ss. 1993j to 1993w, 4034zk, 4034zl; 2001 a. 104.

**16.** Page 28, line 14: delete lines 14 to 17 and substitute “(6) (c) and (7) (a), 51.22 (2), 51.45 (11) (a) and 51.61 (6) of the statutes, the renumbering and amendment of section 51.13 (4) (g) 1. and (6) (a) <sup>of the statutes</sup> and the creation of sections 51.13 (4) (g) 1. a. to c. and 4. of the statutes first apply to inpatient treatment applied for or received in an”.

**17.** Page 28, line 22: delete lines 22 to 25 and substitute “51.14 (title), (1), (3) (a), (b) 3., (f), (g), (h) (intro.) and 1., and (j), and (4) (a) and (g) (intro.), 51.45 (10) (am) and 51.61 (6) of the statutes first apply to outpatient treatment consented to or received”.

1 **18.** Page 29, line 13: delete lines 13 to 17.

2 (END)